

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	2:06-cr-018-W
v.)	
)	
SHERRY DIANE PETTIS)	

UNITED STATES' PROPOSED VOIR DIRE QUESTIONS

Comes now the United States of America, by and through Leura G. Canary,
United States Attorney for the Middle District of Alabama, and respectfully requests that
the Court propound the following Voir Dire Questions on the jury venire in the
above-styled case.

Respectfully submitted this the 6th day of October, 2006.

LEURA G. CANARY
UNITED STATES ATTORNEY

s/a Clark Morris
A. CLARK MORRIS
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104
Telephone: (334) 223-7280
Fax: (334) 223-7135
E-mail: clark.morris@usdoj.gov

1. As you know by now, the defendant, Ms. Pettus, is charged with committing perjury. The indictment charges that while she was testifying under oath in the trial of United States v. Leon Carmichael et al, she made a statement that was so inconsistent with the statement that she had earlier given under oath to a Grand Jury that one of those two statements had to be false. Have any of you heard about this case? Have you heard anything about this case either from the media or from your family, friends or acquaintances?

If so, based on what you have heard or read, have you formed an opinion as to the guilt or innocence of the defendant?

2. You may hear evidence that this case involves the investigation, trial and conviction of Leon Carmichael. Carmichael was convicted in June of 2005 of conspiracy to distribute drugs and of money laundering. Have any of you heard of this case? Do any of you have any special knowledge regarding the Carmichael case or the Carmichael Center, that is knowledge that was not obtained from a newspaper, radio or television? Have any of you read or heard about the Carmichael case in the media? Has anyone ever been to the Carmichael Center? Have you formulated any opinions regarding Ms. Pettus based on the information that you have read or heard?

Do you feel that, based on what you have heard or read, you can determine the guilt or innocence of this defendant, Ms. Pettus, solely on the evidence introduced at trial?

3. Have any of you discussed any aspect of this case with anyone who claimed to have some special knowledge of what actually occurred?

If so, with whom and under what circumstances? What knowledge did this

person claim to have? Have you formed some opinion based on what this person told you?

4. Does any member of the panel know the defendant or any member of the defendant's family or any friends of the defendant's, on either a personal, business or professional basis?

5. Has any member of the panel had any dealings with the Drug Enforcement Administration, the Internal Revenue Service (aside from routinely paying taxes) or the Montgomery Police Department (aside from a routine traffic ticket)? If so, explain the situation. Were the dealings pleasant or unpleasant?

6. Has any member of the panel ever had an unpleasant experience involving law enforcement (aside from a traffic ticket)?

7. Do you or any of your friends or relatives know any of the attorneys in these cases? If so, who and how?

8. Do any of you know any of the witnesses in this case? If so whom and how do you know them?

9. Do you know any other members of the jury panel? If so, who and how?

10. Has any member of the panel, or a relative or close friend ever been employed by a law firm or other organization which participates in the defense of criminal cases?

If so, please state their names, the name of the law firm with which they were employed, and the location of the law practice.

If a relative was or is so employed, do you often discuss their jobs with them?

11. Have you or a close relative or friend ever testified in a trial, grand jury

proceeding, deposition, or other court hearing? Have you ever had to take an oath to tell the truth?

12. Do any of you believe that someone who takes an oath to tell the truth in court and tells a lie should not be prosecuted. Does anyone believe that people should be allowed to make a false statement when on the witness stand under oath?

13. To admit to having some sympathy for the defendant or the government in this case is nothing to be ashamed of and does not reflect badly upon you as a person. However, both the government and the defendant are entitled to have this case heard by a fair and impartial jury that will decide the case solely according to the evidence admitted in this Court and according to the Court's instructions on the law. The law provides that the jury may not be governed by sympathy, prejudice, or public opinion. With this in mind, do any of you have any reason why you would be unable to give either the government or the defendant a fair trial based solely upon the evidence admitted at the trial and the instructions given by the Court?

14. Do all of you realize that as a juror, in your deliberations as to guilt, you must not consider any possible punishment?

15. Do any of you have any convictions, whether they may be moral, religious, philosophical or otherwise that would prevent you from being a fair and impartial juror in this case or that would prevent you from sitting in judgment of another person?

16. Do each and every one of you understand that during the course of the trial an attorney is not permitted to speak to the jurors and, therefore, if you see an attorney in the hall or on the street, you should not hold it against the attorney if he or she does not acknowledge you or speak to you?

